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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA (Oakland Division)**

Marshall Loskot,) Case Number CV-09-3774 CW
)
)
Plaintiff,) STIPULATION TO POSTPONE
)
) INSPECTION
Vs.)
)
Abel Hernandez, aka Abez Hernandez, Martha)
E. Hernandez, dba El Chaparral Taqueria,)
Olga R. Gavidia,)
)
Defendants,

Pursuant to United States District Court, Northern District, Local Rule 6-2 and 7.12, Plaintiff Marshall Loskot (“Plaintiff”) and defendants Abel Hernandez, Martha E. Hernandez, and Olga Romo (sued as Olga R. Gavidia) (“Defendants”) submit the following stipulation extending the time to conduct the inspection of the premises under the Court’s Scheduling Order.

The Complaint was filed on August 17, 2009. Defendants were served by personal and substitute service, the latest on September 17, 2009.

The defendants answered the lawsuit on December 3, 2010.

1 Counsel for Plaintiff and Defendants have been in active discussions since mid-December
2 regarding scheduling the Joint Inspection of the premises at issue and the actual conducting of the
3 inspection. The parties had agreed to a joint inspection for January 8, 2010. However, in preparing
4 for the inspection, the parties have encountered issues with the local building department (City of
5 South San Francisco) regarding (1) the Department's view of what remedial measures may or may
6 not be allowed under local law, and (2) whether, and to what extent, local law is superseded by
7 state and federal ADA laws. Counsel for Plaintiff and Defendants have been in communications
8 with the Building Department of the City of South San Francisco on these issues. But the parties
9 do not want to expend resources in an inspection and prepare for remedial measures that may
10 ultimately be disallowed by the local authorities. Also, the parties have been in discussions about a
11 possible settlement of the case, and are actively seeking information that will affect different
12 aspects of a possible settlement (including discussions by defendant Romo with local banks and
the City of South San Francisco for a loan).

13
14 Therefore, in order to allow time to clarify these several issues, and in the interests of efficiency,
15 the parties wish to stipulate to extend the deadline for the joint inspection to January 30, 2010, and
respectfully request that the Court order the same.

19 Dated: January 7, 2010

20 SINGLETON LAW GROUP

21 /S/ Jason K. Singleton

22 Jason K. Singleton

23 Richard E. Grabowski, Attorneys for
Plaintiff Marshall Loskot

24 Dated: January 7, 2010

25 LAW OFFICES OF RICHARD MAC BRIDE

26 /s/ Richard Mac Bride

27 Richard Mac Bride

28 Attorney for defendants Abel Hernandez,
Martha E. Hernandez, and Olga Romo

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2
3
4 ORDER
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7 PURSUANT TO STIPULATION, IT IS ORDERED, THAT The Case Schedule pursuant to
8 General Order 56 shall be amended with the last day for joint inspection continued to January 30,
9 2010, and all other applicable dates calculated from that date.

10 Dated: _____
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Claudia Wilken
United States District Judge